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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/973,883  | 10/10/2001  | John R. Hind         | RSW920010194US1     | 7074             |
| 25260   | 7590        | 03/29/2005           | EXAMINER            |                  |
| MARCIA L. DOUBET<br>P. O. BOX 422859<br>KISSIMMEE, FL 34742 |             |                      | WOO, ISAAC M        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2162                |                  |
| DATE MAILED: 03/29/2005                                     |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/973,883             | HIND ET AL.         |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Isaac M Woo            | 2162                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is in response to Applicant's Amendments filed on January 27, 2005 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1-20 are amended. Claims 1-20 now pending.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Snow et al (U.S. Patent No. 6,055,540, herein after, "Snow").

With respect to claims 1 and 18-19, Snow discloses, detecting, by a user input monitor (user interface is used to input document for document criteria, col. 2, lines 31-56), that a user has selected an element of a rendered representation of an electronic object (document, col. 6, lines 56-67) in a manner consistent with settings that are defined to indicate identification of dynamically-identified, user-defined organizing criteria (user-defined criteria, col. 6, lines 56-67 to col. 7, lines 1-3), see (fig. 2, fig. 3,

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col. 6, lines 9-67, col. 3, lines 43-67 to col. 4, lines 1-64, class hierarchy is defined by user, col. 2, lines 57-67 to col. 3, lines 1-41, document to be inputted for document classification); storing, responsive to the detecting (after documents inputted by user to be classified), the selected element in a repository of criteria usable for organizing electronic objects, see (fig. 5, col. 6, lines 9-18); using selected element as an organizing criterion in a rule that can subsequently be used for organizing stored electronic objects, see (fig. 6, col. 6, lines 9-67 to col. 7, lines 1-3).

With respect to claim 2, Snow discloses, enabling the user to configure the defined setting, see (fig. 3, col. 4, lines 21-67).

With respect to claim 3, Snow discloses, selecting a word, a phrase, or one or more contiguous characters in the rendered representation as the selected element, see (col. 2, lines 31-56).

With respect to claims 4-5, Snow discloses, the word phrase, or the characters is/are rendered from a text document, an email message see (col. 2, lines 31-56).

With respect to claim 6, Snow discloses, selecting a portion of an image as the element, see (col. 2, lines 31-56).

With respect to claim 7, Snow discloses, selecting one or more words phrases and characters as in the rendered representation as the element, see (col. 2, lines 31-56).

With respect to claim 8, Snow discloses, selecting a portion of one or more images, see (col. 2, lines 31-56, document forms with images).

With respect to claim 9, Snow discloses, storing the selected element in the repository as an organization criterion, see (fig. 5, col. 6, lines 9-18).

With respect to claim 10, Snow discloses, using the selected element as an organizing criteria in a rule that can subsequently be used for organizing stored documents, see (fig. 6, col. 6, lines 9-67 to col. 7, lines 1-3).

With respect to claim 11, Snow discloses, using a mouse device, see (col. 6, lines 9-67 to col. 7, lines 1-3, user command can be done by any input device, and the mouse is one of a input/output control device).

With respect to claim 12, Snow discloses, light pen device, see (col. 6, lines 9-67 to col. 7, lines 1-3, user command can be done by any input device, and the light pen is one of a input/output control device).

With respect to claim 13, Snow discloses, plasma panel device, see (col. 6, lines 9-67 to col. 7, lines 1-3, user command can be done by any input device, and the light pen is one of a input/output control device).

With respect to claims 14-15, Snow discloses, audio and video mechanism, see (col. 6, lines 9-67 to col. 7, lines 1-3).

With respect to claim 16, Snow discloses, the setting specify that the element of the rendered representation of a particular electronic object must be swiped multiple times to indicate selection of that elements, see (col. 6, lines 9-67 to col. 7, lines 1-3).

With respect to claim 17, Snow discloses the selected element is added to organizing criteria of an index, such that the index becomes adaptive to user actions, see (col. 2, lines 31-56).

With respect to claim 20, Snow discloses, inclusion as an organizing criteria in one or more rules that can subsequently be used for organizing stored documents, see (col. 6, lines 9-67 to col. 7, lines 1-3).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
March 25, 2005

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER